

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

CR2010-133758-001 DT

04/14/2011

HONORABLE SAMUEL A. THUMMA

CLERK OF THE COURT

I. Huerta

Deputy

STATE OF ARIZONA

JEFFREY R DUVENDACK

v.

JEFFREY DOUGLAS OLLIS (001)

DOB: 08/29/1979

STEPHEN C KUNKLE

APO-SENTENCINGS-CCC

APPEALS-CCC

AZ DOC

AZ DOC - INMATE TRUST ACCOUNTS

DISPOSITION CLERK-CSC

RFR

VICTIM SERVICES DIV-CA-CCC

SENTENCE - IMPRISONMENT AND PROBATION

9:45 a.m.

Courtroom CCB 1304

State's Attorney: Above named counsel

Defendant's Attorney: Above named counsel

Defendant: Present

Court Reporter, Sally Stearman, is present.

A record of the proceeding is also made by audio and/or videotape.

Margie Helms, Kimberly Ollis and Ruby Reinhardt address the Court.

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Count(s) 1: WAIVER OF TRIAL: The Defendant knowingly, intelligently and voluntarily waived all pertinent constitutional and appellate rights and entered a plea of guilty.

Count(s) 2: WAIVER OF TRIAL: The Defendant knowingly, intelligently and voluntarily waived all pertinent constitutional and appellate rights and entered a plea of guilty.

IT IS THE JUDGMENT of the Court Defendant is guilty of the following:

OFFENSE: Count 1 Theft of Means of Transportation  
Class 3 Felony  
A.R.S. § 13-1801, 1814, 701, 702, 801, 28-3304  
Date of Offense: 06/27/2010  
Non Dangerous - Non Repetitive

OFFENSE: Count 2 Misconduct Involving Weapons  
Class 4 Felony  
A.R.S. § 13-3101, 3102, 3105, 701, 702, 801  
Date of Offense: 06/27/2010  
Non Dangerous - Non Repetitive

AS PUNISHMENT, IT IS ORDERED Defendant is sentenced to a term of imprisonment and is committed to the Arizona Department of Corrections as follows:

Count 1: 3.0 year(s) from 04/14/2011  
Presentence Incarceration Credit: 55 day(s)

Slightly Mitigated

IT IS ORDERED the Defendant shall pay through the Clerk of the Superior Court:

RESTITUTION: Count 1 - \$828.00 to the following victim(s) in the following amounts:

Sedrick M Washington (Individual) \$828.00

Restitution ledger provided; priority of payment as stated in the restitution ledger.

Restitution shall be paid monthly in an amount to be determined by the Arizona Department of Corrections in compliance with A.R.S. § 31-230.

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Additional Monetary Information: IT IS FURTHER ORDERED that payment shall commence for the remaining balance of any Restitution in an amount not less than \$50.00 per month beginning on the first day of the fourth month upon release from physical custody of the Department of Corrections in Count 1.

Community Supervision: Count 1 - Waived pursuant to A.R.S. § 13-603(K) and 41-1604.07(D), due to the term of probation in Count 2 in this cause number.

In the event the Defendant is released by the Department of Corrections on a temporary release basis pursuant to A.R.S. §31-233, and a term of Community Supervision has been waived pursuant to A.R.S. §13-603(K), the length of probation shall be extended to include the time of Defendant's temporary release, pursuant to A.R.S. §13-901(B).

The Court is suspending imposition or execution of sentence and, under the supervision of the Adult Probation Department (APD), placing the defendant on probation for:

Count 2 Probation Term: 3 years

Upon absolute discharge from prison for a separate offense in Count 1 in this cause number.

Conditions of probation include the following:

Condition 6: Report to the APD within 72 hours of sentencing, absolute discharge from prison, release from incarceration, or residential treatment and continue to report as directed. Keep APD advised of progress toward case plan goals and comply with any written directive of the APD to enforce compliance with the conditions of probation. Provide DNA testing if required by law.

Condition 8 - Request and obtain written permission of the APD prior to leaving the state.

Condition 15: Restitution, Fines and Fees:

PROBATION SERVICE FEE: Count 2 - \$65.00 per month.

PROBATION SURCHARGE: Count 2 - \$20.00.

The Court retains jurisdiction for any future restitution hearings.

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The Arizona Department of Corrections shall notify the Clerk of the Court of Maricopa County of Defendant's release from custody via e-mail cforesponse@mail.maricopa.gov. The Clerk of the Court, upon said notification, shall furnish financial information for a Criminal Restitution Order for Judicial signature for any unpaid monies to date.

Condition 16 - Not consume or possess any substances containing alcohol.

IT IS ORDERED granting the Motion To Dismiss the following: the allegation of the defendant's prior felony convictions.

Count(s) 1: IT IS ORDERED authorizing the Maricopa County Sheriff to deliver Defendant to the Arizona Department of Corrections.

IT IS ORDERED the Clerk of the Superior Court remit to the Arizona Department of Corrections a copy of this Order or the Order of Confinement together with all presentence reports, probation violation reports, and medical and psychological reports that are not sealed in this cause relating to the Defendant.

Count(s) 2: IT IS FURTHER ORDERED Defendant be released from custody for this count only.

IT IS FURTHER ORDERED that Defendant must submit to DNA testing for law enforcement identification purposes and pay the applicable fee for the cost of that testing in accordance with A.R.S. § 13-610.

The presentence investigation report is filed under this cause.

The Court has reviewed the Presentence Report and the recommendations contained therein, the Plea Agreement and the statements made in open Court.

THE COURT FINDS there are sufficient mitigating circumstances that call for leniency, including, but not limited to: the defendant's behavioral health issues.

Pursuant to A.R.S. Section 13-3105,

IT IS FURTHER ORDERED that the defendant shall forfeit any/all interest in the weapon, ammunition and weapon accessories seized in this cause number.

10:08 a.m. Matter concludes.

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This case is eFiling eligible: <http://www.clerkofcourt.maricopa.gov/efiling/default.asp>.  
Attorneys are encouraged to review Supreme Court Administrative Orders 2010-117 and 2011-10 to determine their mandatory participation in eFiling through AZTurboCourt.

ISSUED: Order of Confinement - Certified Copy to DOC via MCSO

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Defendant's right index fingerprint is permanently affixed to this sentencing order in open court.

/s/ HONORABLE SAMUEL A. THUMMA  
JUDGE OF THE SUPERIOR COURT

(right index fingerprint)